

## TENTATIVE RULINGS

### CIVIL / FAMILY LAW CASE MANAGEMENT CALENDAR

**For: 6/16/2008 Monday Dept: 1A**

Tentative Rulings are proposed as orders to be issued at the hearing and are posted in advance for the convenience of the parties and their counsel. Any party objecting to the tentative ruling should promptly notify the opposing party of the substance of the objection with sufficient time to allow all parties, or their attorneys of record, to appear in person or by telephone at the scheduled hearing. Absent objection, the Court routinely adopts the tentative ruling as posted. Failures to appear, absent an order to appear, are deemed consent to the tentative ruling.

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1. **1:00 PM** Case: CF7655 [M] SENDER v PETERS  
Type: COLLECTIONS Date Filed: 08/17/07  
Event: FURTHER CASE MANAGEMENT CONF-CIVIL  
Event: CONTINUED OSC RE: FILING COMPLIANCE  
\*VACATE IF ALL POS/ANSWERS ARE FILED\*

PLNTFF: SENDER, ERICH ATTY: STUDLEY, DAVID W. ESQ  
PLNTFF: SENDER, PAULIE ATTY: STUDLEY, DAVID W. ESQ  
DEFNDT: PETERS, JEREMY

Tentative Ruling: The plaintiff has not filed a proper Proof of Service as to all named defendants. Plaintiff must file a proper Proof of Service prior to the next hearing. The matter is not At-Issue and is set for further Case Management. By the next CMC, unless all defendants have filed responsive pleadings, Plaintiff is ordered to file defaults or dismissals of all defendants. The CMC is set for Dept 1A at 1:00 PM on 10/20/08.

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2. **1:00 PM** Case: CF7786 [M] NATIONAL CREDIT v SERRA  
Type: COLLECTIONS Date Filed: 11/14/07  
Priority Info: RULE 3.740  
Event: OSC RE: FILING COMPLIANCE  
\*VACATE IF ALL POS/ANSWERS ARE FILED\*

PLNTFF: NATIONAL CREDIT ACCEPTANCE INC ATTY: PUGH, JOHN J. ESQ  
DEFNDT: SERRA, ANTHONY R  
AKA: SERRA, TONY

Tentative Ruling: The plaintiff has not filed a proper Proof of Service as to all named defendants. Plaintiff must file a proper Proof of Service prior to the next hearing. The matter is not At-Issue and is set for further Case Management. By the next CMC, unless all defendants have filed responsive pleadings, Plaintiff is ordered to file defaults or dismissals of all defendants. The CMC is set for Dept 1A at 1:00 PM on 10/20/08.

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3. 1:00 PM Case: CF7887 [M] JOHNSTON v HULBURT  
Type: DAMAGES - NON-TORT Date Filed: 01/29/08  
Event: CASE MANAGEMENT CONFERENCE-CIVIL  
Event: CONTINUED OSC RE: FILING COMPLIANCE  
\*VACATE IF ALL POS/ANSWERS ARE FILED\*

PLNTFF: JOHNSTON, RANDY ATTY: WHITE, BLAIR M. ESQ  
DBA: R A JOHNSTON CONSTRUCTION  
DEFNDT: HULBURT, FREDRICK P  
DEFNDT: HULBURT, FRAUKE R  
DEFNDT: SKARLES, JAMES G  
DEFNDT: SKARLES, DOROTHY A  
DEFNDT: SKARLES, STEVEN G

Tentative Ruling: The plaintiff has not filed a proper Proof of Service as to all named defendants. Plaintiff must file a proper Proof of Service prior to the next hearing. The matter is not At-Issue and is set for further Case Management. By the next CMC, unless all defendants have filed responsive pleadings, Plaintiff is ordered to file defaults or dismissals of all defendants. The CMC is set for Dept 1A at 1:00 PM on 10/20/08.

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4. 1:00 PM Case: CF7888 [M] JOHNSTON v POPE  
Type: CIVIL COMPLAINT Date Filed: 01/29/08  
Event: CASE MANAGEMENT CONFERENCE-CIVIL  
Event: CONTINUED OSC RE: FILING COMPLIANCE  
\*VACATE IF ALL POS/ANSWERS ARE FILED\*

Related cases on this calendar: CF7887 , CF7889 ,  
PLNTFF: JOHNSTON, RANDY ATTY: WHITE, BLAIR M. ESQ  
DBA: R.A. JOHNSTON CONSTRUCTION  
DEFNDT: POPE, CARY  
DEFNDT: RIVERSIDE BUILDERS INC  
DEFNDT: HF DATA

Tentative Ruling: The plaintiff has not filed a proper Proof of Service as to all named defendants. Plaintiff must file a proper Proof of Service prior to the next hearing. The matter is not At-Issue and is set for further Case Management. By the next CMC, unless all defendants have filed responsive pleadings, Plaintiff is ordered to file defaults or dismissals of all defendants. The CMC is set for Dept 1A at 1:00 PM on 10/20/08.

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5. 1:00 PM Case: CF7889 [M] JOHNSTON v POPE  
Type: DAMAGES - NON-TORT Date Filed: 01/29/08  
Event: CASE MANAGEMENT CONFERENCE-CIVIL  
Event: CONTINUED OSC RE: FILING COMPLIANCE  
\*VACATE IF ALL POS/ANSWERS ARE FILED\*

Related cases on this calendar: CF7888 ,  
PLNTFF: JOHNSTON, RANDY ATTY: WHITE, BLAIR M. ESQ  
DBA: R A JOHNSTON CONSTRUCTION  
DEFNDT: POPE, CARY  
DEFNDT: RIVERSIDE BUILDERS INC  
DEFNDT: FONTANA, WILLIAM V  
DEFNDT: FONTANA, MARY A  
DEFNDT: STURTEVANT, JON  
TRSTEE: MTA MEDICAL BENEFIT TRUST  
DEFNDT: PAYNE, DON  
TRSTEE: MTA MEDICAL BENEFIT TRUST  
DEFNDT: HALE, BARNEY  
TRSTEE: MTA MEDICAL BENEFIT TRUST

Tentative Ruling: The plaintiff has not filed a proper Proof of Service as to all named defendants. Plaintiff must file a proper Proof of Service prior to the next hearing. The matter is not At-Issue and is set for further Case Management. By the next CMC, unless all defendants have filed responsive pleadings, Plaintiff is ordered to file defaults or dismissals of all defendants. The CMC is set for Dept 1A at 1:00 PM on 10/20/08.

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6. 1:00 PM Case: CV30407 [S] ANGELO v ELMS, ETAL  
Type: CIVIL COMPLAINT Date Filed: 03/11/04  
Priority Info: CONSOL W/CV30751,CV30407 LEAD  
Event: FURTHER CASE MANAGEMENT CONFERENCE  
SETTING OF CROSS-COMPLAINANT'S MOTION TO  
ENFORCE PRIOR STIPULATION AND ORDER

Related cases NOT on this calendar: CV30751 ,  
PLNTFF: ANGELO, DARRYL R ATTY: FOLEY, LAW OFFICES OF KENNETH  
PLNTFF: DAVIS SPECIAL NEEDS TRUST, KYLE J  
X/COMP: ANGELO, JO ANNE ATTY: REEVE, BOB ESQ  
DEFNDT: ELMS, STEVEN M ATTY: CHAVEZ-OCHOA LAW OFFICES INC.  
Service Date/Type: 03/20/04 PER Answer Date: 04/26/04  
DEFNDT: ELMS, PEGGY L ATTY: CHAVEZ-OCHOA LAW OFFICES INC.  
Service Date/Type: 03/20/04 PER Answer Date: 04/26/04  
DEFNDT: ANGELO, DARRYL ATTY: FOLEY, LAW OFFICES OF KENNETH

Tentative Ruling: The case is At-Issue and is set for Settlement Conference in Dept. 1A approximately 120 days out and for Trial in Dept. 1 approximately 150 days out. The clerk's office shall provide a pretrial order with dates and times. Estimated trial length: 3 day court trial.

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7. 1:00 PM Case: CV30852 [S] SWARTZ v BAILEY  
Type: DAMAGES-NON TORT Date Filed: 08/06/04  
Priority Info: 170.6 JEM-ON APPEAL-DISMISSED  
Event: TRIAL SETTING

PLNTFF: SWARTZ, THOMAS PATRICK ATTY: IN PRO PER  
DEFNDT: ALBERTS, PHIL  
Service Date/Type: 06/25/05 PRS 00/00/00  
DEFNDT: GROGAN, GLORIA PERRY  
Service Date/Type: 07/07/05 PRS 00/00/00  
DEFNDT: MOUNTAIN RANCH REALTY  
Service Date/Type: 07/07/05 PRS 00/00/00  
DEFNDT: CALAVERAS COUNTY ATTY: BARKETT & GUMPert  
Service Date/Type: 05/03/05 PER Answer Date: 06/03/05  
DEFNDT: STATE OF CALIFORNIA

Tentative Ruling: The plaintiff has not filed a proper Proof of Service as to all named defendants. Plaintiff must file a proper Proof of Service prior to the next hearing. On Alberts and Mountain Ranch Realty, Plaintiff is to file a proof of service by mail as to the 2<sup>nd</sup> Amended Complaint and seek entry of default if those defendants have not answered within 30 days of service. As to Grogan, the proof of service names another person, either an amended proof of service correcting the name should be filed, and then proceeding as per the other 2 defendants above, or personal service of all 3 complaints and the summons needs to be affected upon Grogan prior to her default being entered. Plaintiff is directed to request default against the State of California as it appears proper proof of service is in the file. Once all defendants have been defaulted, Plaintiff is directed to request the clerk's office set a default prove up hearing. The next Case Management hearing shall be in Dept. 1A at 1:00PM on 10/20/08.

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8. 1:00 PM Case: CV32962 [S] SAFLEY v WALKER  
Type: PI-NON MOTOR VEHICLE Date Filed: 08/30/06  
Event: FURTHER CASE MANAGEMENT CONF-CIVIL

PLNTFF: SAFLEY, SHEILA ATTY: YOUNG.WARD ATTORNEYS  
PLNTFF: SAFLEY, SCOTT ATTY: YOUNG.WARD ATTORNEYS  
DF/X-D: WASHINGTON LABS LLC ATTY: WOLFE & WYMAN LLP  
Service Date/Type: 10/16/07 PER Answer Date: 12/14/07  
DF/X-D: ADS INDUSTRIES LLC  
Service Date/Type: 10/16/07 PER 00/00/00  
D/XD/XC CRIME STOP U.S.A. INC. ATTY: WOLFE & WYMAN LLP  
Service Date/Type: 02/17/07 PER Answer Date: 03/23/07  
D/XD/XC WALKER, JESSICA ATTY: CURTIS & ARATA  
Service Date/Type: 09/07/06 PER Answer Date: 10/17/06  
D/XD/XC WALKER, LOGAN ATTY: CURTIS & ARATA  
Service Date/Type: 09/07/06 PER Answer Date: 10/17/06  
X-COMP AVANTI U.S.A. LTD ATTY: HARDY ERICH BROWN & WILSON

Tentative Ruling: The matter is not At-Issue and is set for further Case Management. By the next CMC, unless all defendants (and/or Cross-Defendants) have filed responsive pleadings, Plaintiff (and/or Cross-Complainants) is ordered to file defaults or dismissals of all defendants (and/or Cross-Defendants). The CMC is set for Dept 1A at 1:00 PM on 9/15/08.

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9. 1:00 PM Case: CV33633 [S] PALMER v WALLS  
Type: PI/PD MOTOR VEHICLE Date Filed: 04/16/07  
Event: FURTHER CASE MGMT CONF/TRIAL SETTING

PLNTFF: PALMER, BRAD ATTY: RISHWAIN, DOUGLAS J. ESQ  
DEFNDT: WALL, TAMMY RAQUEL ATTY: ELIE & ASSOCIATES  
Service Date/Type: 00/00/00 Answer Date: 05/16/07  
DEFNDT: BRADEN PARTNERS LP ATTY: ELIE & ASSOCIATES  
Service Date/Type: 00/00/00 Answer Date: 05/16/07

Tentative Ruling: Plaintiff has filed a Notice of Settlement in the Case Management Conference Statement. The court vacates all future court hearings and sets the matter for Court's Motion to Dismiss pursuant to Cal Rules 3.1385 in Dept. 1A at 1:00 PM on 9/15/08.

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10. 1:00 PM Case: CV33978 [S] POLAND v RICK GRETSINGER CONST  
Type: CIVIL COMPLAINT Date Filed: 08/14/07  
Event: TRIAL SETTING

PLNTFF: POLAND, RICKY ATTY: UNITED EMPLOYEES LAW GROUP PC  
DEFNDT: RICK GRETSINGER CONSTRUCTION INC. ATTY: THOMAS, RANDY E. ESQ  
Service Date/Type: 09/10/07 PER Answer Date: 10/09/07  
DEFNDT: GRETSINGER, RICK ATTY: THOMAS, RANDY E. ESQ  
Service Date/Type: 09/10/07 PER Answer Date: 10/09/07

Tentative Ruling: The case is At-Issue and is set for Settlement Conference in Dept. 1A approximately 120 days out and for Trial in Dept. 6 approximately 150 days out. The clerk's office shall provide a pretrial order with dates and times. Estimated trial length: 4 day jury trial.

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11. 1:00 PM Case: CV34354 [S] KOPLIN v SHORT  
Type: PRELIMINARY INJUNCTION Date Filed: 01/11/08  
Event: FURTHER CASE MANAGEMENT CONF-CIVIL  
\*COUNSEL FOR DEFENDANT ORDER TO APPEAR\*

PLNTFF: KOPLIN, JAKE ATTY: AIROLA & AIROLA  
PLNTFF: KOPLIN, DONNA ATTY: AIROLA & AIROLA  
DEFNDT: SHORT, SCOTT R ATTY: WEISBERG, MICHAEL ESQ  
Service Date/Type: 01/15/08 PER 00/00/00

Tentative Ruling: The case is At-Issue and is set for Settlement Conference in Dept. 1A approximately 120 days out and for Trial in Dept. 1 approximately 150 days out. The clerk's office shall provide a pretrial order with dates and times. Estimated trial length: 1 day court trial.

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12. 1:00 PM Case: CV34385 [S] RADFORD v BOWMAN  
Type: BREACH OF CONTRACT Date Filed: 01/25/08  
Event: CASE MANAGEMENT CONFERENCE-CIVIL

PLNTFF: RADFORD, MARY ATTY: FOLEY, LAW OFFICES OF KENNETH  
DEFNDT: BOWMAN, TERRI R.  
Service Date/Type: 02/15/08 SUB 00/00/00  
DBA: PREMIER PROPERTIES

Tentative Ruling: The matter is not At-Issue and is set for further Case Management. By the next CMC, unless all defendants have filed responsive pleadings, Plaintiff is ordered to file defaults or dismissals of all defendants. The CMC is set for Dept 1A at 1:00 PM on 9/15/08.

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13. 1:00 PM Case: CV34386 [S] STEIN v KNOWLES  
Type: BREACH OF CONTRACT Date Filed: 01/28/08  
Event: CASE MANAGEMENT CONFERENCE-CIVIL

PLNTFF: STEIN, RODERICK ATTY: STEIN, LAW OFFICES OF RANDOLP  
DEFNDT: KNOWLES, BARBARA ATTY: BARNES, ARTHUR L ESQ  
Service Date/Type: 04/09/08 PER Answer Date: 05/02/08

Tentative Ruling: The case is At-Issue and referred to Judicial Arbitration on a 60 day delay. The parties my stipulate to mediation in lieu of arbitration. Discovery to remain open until 30 days prior to trial. Trial setting is set in Dept. 1A at 1:00 PM on 11/17/08.

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14. 1:00 PM Case: CV34395 [S] CASSIDY v PERFORMING ANIMAL  
Type: WRONGFUL TERMINATION Date Filed: 02/01/08  
Event: CASE MANAGEMENT CONFERENCE-CIVIL

Related cases NOT on this calendar: CV34372 , CF7873 ,  
PLF/XD: CASSIDY, JESSICA ATTY: SHIMODA LAW CORPORATION  
DEF/XC: PERFORMING ANIMAL WELFARE SOCIETY ATTY: BOUTIN GIBSON DI GIUSTO HODEL  
Service Date/Type: 00/00/00 Answer Date: 03/12/08

Tentative Ruling: The case is At-Issue and mediation is recommended to the parties. A Trial Setting Conference is set in Dept. 1A at 1:00 PM on 11/17/08.

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15. 1:00 PM Case: CV34574 [S] ZIEPFEL v CCWD  
Type: PI-NON MOTOR VEHICLE Date Filed: 04/07/08  
Event: OSC RE: FILING COMPLIANCE

\*VACATE IF ALL POS/ANSWERS ARE FILED\*  
08/25/08 1:00 1A CASE MANAGEMENT CONFERENCE-CIVIL

PLNTFF: ZIEPFEL, FRED ATTY: OTUS & ASSOCIATES  
DEFNDT: CALAVERAS COUNTY WATER DISTRICT ATTY: GREENFIELD HARDY  
Service Date/Type: 00/00/00 Answer Date: 05/15/08  
DEFNDT: COUNTY OF CALAVERAS

Tentative Ruling: Plaintiff has not filed a proper Proof of Service as to all defendants (County of Calaveras). The OSC is continued over to the previously scheduled CMC time and date.

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16. 1:00 PM Case: CV34584 [S] JENKINS v BARRIOS  
Type: BREACH OF CONTRACT Date Filed: 04/10/08  
Event: OSC RE: FILING COMPLIANCE

\*VACATE IF ALL POS/ANSWERS ARE FILED\*

06/17/08 10:00 1 DEMURRER HRG. RE LUCCHESI RANCH LLC  
06/17/08 10:00 1 DEMURRER HRG. RE CALAVERAS PROPERTIES  
06/17/08 10:00 1 DEMURRER HRG. RE ROBIN D. PETERS  
08/25/08 1:00 1A CASE MANAGEMENT CONFERENCE-CIVIL

PLNTFF: JENKINS, DANIEL	ATTY: BRADFORD LAW OFFICE
PLNTFF: JENKINS, BRANDI	ATTY: BRADFORD LAW OFFICE
PLNTFF: WILHELM, SIERRY	ATTY: BRADFORD LAW OFFICE
PLNTFF: WILHELM, TAMMY	ATTY: BRADFORD LAW OFFICE
DEFNDT: BARRIOS, RONALD J	ATTY: IN PRO PER
Service Date/Type: 04/16/08 SUB	Answer Date: 05/08/08
DEFNDT: PETERS, ROBIN D	ATTY: GRATHWOHL RAUCH & COHEN PC
Service Date/Type: 04/21/08 PER	00/00/00
DEFNDT: LUCCHESI RANCH LLC	ATTY: GRATHWOHL RAUCH & COHEN PC
Service Date/Type: 04/21/08 PER	00/00/00
DEFNDT: CALAVERAS PROPERTIES INC	ATTY: GRATHWOHL RAUCH & COHEN PC
Service Date/Type: 04/21/08 PER	00/00/00
DEFNDT: RANCHO PROPERTIES INC	

Tentative Ruling: The plaintiff has not filed a proper Proof of Service as to all named defendants (Rancho Properties). Plaintiff must file a proper Proof of Service prior to the next hearing. The matter is not At-Issue and is set for further Case Management. By the next CMC, unless all defendants have filed responsive pleadings, Plaintiff is ordered to file defaults or dismissals of all defendants. The CMC is set for Dept 1A at 1:00 PM on 10/20/08.

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17. 1:30 PM Case: CV33696 [S] WILLIAMS v CONNOR ESTATES  
Type: FRAUD Date Filed: 05/02/07  
Priority Info: RECLASSIFIED FROM CF7445  
Event: TRIAL SETTING

PLF/XD: WILLIAMS, JOHN	ATTY: MACOMBER, MICHAEL D. ESQ
Service Date/Type: 00/00/00	Answer Date: 06/11/07
PLF/XD: WILLIAMS, CONNIE	ATTY: MACOMBER, MICHAEL D. ESQ
Service Date/Type: 00/00/00	Answer Date: 06/11/07
DEF/XC: CONNOR ESTATES MASTER ASSOCIATION	ATTY: ERICKSEN ARBUTHNOT KILDUFF
Service Date/Type: 00/00/00	Answer Date: 05/02/07
DEF/XC: JORDAN-CURASI, DENNIS	ATTY: ERICKSEN ARBUTHNOT KILDUFF
Service Date/Type: 00/00/00	Answer Date: 05/02/07

Tentative Ruling: The case is At-Issue and is set for Settlement Conference in Dept. 1A approximately 120 days out and for Trial in Dept. 1 approximately 150 days out. The clerk's office shall provide a pretrial order with dates and times. Estimated trial length: 3 day jury trial.

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18. 2:00 PM Case: CV33379 [S] SINGLETON v SINGLETON JR  
Type: DISSOLUTION WITHOUT MINOR CHIL Date Filed: 01/30/07  
Event: FURTHER CASE MANAGEMENT CONF-FAMILY LAW P= 8

PETNR: SINGLETON, PATRICIA M ATTY: BECHELLI, LAW OFFICES  
RESP: SINGLETON, DONN E JR  
Service Date/Type: 06/04/07 NAR 00/00/00

Tentative Ruling: Petitioner is directed to file the cover sheet to her pending bankruptcy petition with this court. The matter is not At-Issue and is set for further Case Management. By the next CMC, unless all defendants have filed responsive pleadings, Plaintiff is ordered to file defaults or dismissals of all defendants. The CMC is set for Dept 1A at 1:00 PM on 10/20/08.

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19. 2:00 PM Case: CV33515 [S] VARN v VARN  
Type: DISSOLUTION WITHOUT MINOR CHIL Date Filed: 03/06/07  
Event: FURTHER CASE MANAGEMENT CONF-FAMILY LAW P= 8  
06/24/08 9:00 1 MOTION TO STRIKE RESPONSE

Related cases NOT on this calendar: CV33346 , CV33401 ,  
PETNR: VARN, LYNN PRZEKOTA ATTY: CALDERWOOD, BRUCE G ESQ  
RESP: VARN, WILLIAM RANDALL ATTY: IN PRO PER  
Service Date/Type: 04/16/07 Answer Date: 05/15/07

Tentative Ruling: Respondent is ordered to serve and file a Preliminary Declaration of Disclosure (FL-141) prior to the next hearing. Respondent is ordered to serve and file a Final Declaration of Disclosure (FL-141) prior to the next hearing. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 2:00 PM on 9/15/08.

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20. 2:00 PM Case: CV33590 [S] FOLEY v FOLEY  
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 04/04/07  
Priority Info: CONS'D W/CV33580; CV33590 LEAD  
Event: FURTHER CASE MANAGEMENT CONF-FAMILY LAW P= 8

Related cases NOT on this calendar: CV33580 ,  
PETNR: FOLEY, AMY ELIZABETH ATTY: HALLUM, KENNETH M. ESQ.  
J/PRTY: COUNTY OF CALAVERAS D.A.: CENTRAL SIERRA CHILD SUPPORT  
RESP: FOLEY, MARK THOMAS ATTY: CHAVEZ-OCHOA LAW OFFICES INC.  
Service Date/Type: 04/05/07 PER Answer Date: 05/02/07  
CLAMNT: WESTERN CONFERENCE OF TEAMSTERS P  
Service Date/Type: 02/13/08 NAR 00/00/00

Tentative Ruling: Petitioner is ordered to serve and file a Final Declaration of Disclosure (FL-141) prior to the next hearing. Respondent is ordered to serve and file a Final Declaration of Disclosure (FL-141) prior to the next hearing. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 2:00 PM on 9/15/08.

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21. 2:00 PM Case: CV33702 [S] KAUTZ v KAUTZ  
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 05/10/07  
Event: FURTHER CASE MANAGEMENT CONF-FAMILY LAW P= 8

PETNR: KAUTZ, STEPHEN ATTY: LANE DUNCAN & LAMBERTSON  
RESP: KAUTZ, LORI ATTY: MCKINLEY, JOHN H. ESQ  
Service Date/Type: 06/01/07 PER Answer Date: 02/01/08

Tentative Ruling: Respondent is ordered to serve and file a Preliminary Declaration of Disclosure (FL-141) prior to the next hearing. Respondent is ordered to serve and file a Final Declaration of Disclosure (FL-141) prior to the next hearing. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 2:00 PM on 9/15/08.

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22. 2:00 PM Case: CV33960 [S] BURKHARDT v BURKHARDT  
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 08/08/07  
Event: FURTHER CASE MANAGEMENT CONF-FAMILY LAW P= 8  
AT-ISSUE MEMO FILED BY PETITIONER  
06/24/08 9:00 1 RESPONDENT'S MOTION FOR MODIFICATION  
CHILD SUPPORT AND VISITATION

PETNR: BURKHARDT, LANI L ATTY: CHAVEZ-OCHOA LAW OFFICES INC.  
J/PRTY: COUNTY OF CALAVERAS D.A.: CENTRAL SIERRA CHILD SUPPORT  
RESP: BURKHARDT, PATRICK R ATTY: AIROLA & AIROLA  
Service Date/Type: 08/27/07 PER Answer Date: 09/28/07

Tentative Ruling: Respondent is ordered to serve and file a Final Declaration of Disclosure (FL-141) prior to the next hearing. There is no Response to the Amended Petition. There is Proof of Service but no Response (FL-120) or Default (FL-165). Prior to the next CMC, unless a Response is filed, Petitioner must file the Request for Default or dismiss the action. The CMC is set for Dept 1A at 2:00 PM on 9/15/08.

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23. 2:00 PM Case: CV34059 [S] NUSS v NUSS  
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 09/13/07  
Event: FURTHER CASE MANAGEMENT CONF-FAMILY LAW P= 8

PETNR: NUSS, MICHAEL S. ATTY: IN PRO PER  
RESP: NUSS, JENNIFER A. ATTY: TRIFILO, JOHN J. ESQ  
Service Date/Type: 09/20/07 PER Answer Date: 10/04/07

Tentative Ruling: This matter was dismissed.

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24. 2:00 PM Case: CV34121 [S] WAGONER v WAGONER  
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 10/04/07  
Event: FURTHER CASE MANAGEMENT CONF-FAMILY LAW P= 8

PETNR: WAGONER, SAMANTHA ATTY: CHAVEZ-OCHOA LAW OFFICES INC.  
RESP: WAGONER, CRAIG  
Service Date/Type: 01/23/08 PER 00/00/00

Tentative Ruling: Petitioner is ordered to serve and file a Preliminary Declaration of Disclosure (FL-141) prior to the next hearing. There is Proof of Service but no Response (FL-120) or Default (FL-165). Prior to the next CMC, unless a Response is filed, Petitioner must file the Request for Default or dismiss the action. The CMC is set for Dept 1A at 2:00 PM on 9/15/08.

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25. 2:00 PM Case: CV34405 [S] SWORTFIGUER v SWORTFIGUER  
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 02/08/08  
Event: CASE MANAGEMENT CONFERENCE-FAMILY LAW P= 8

Related cases NOT on this calendar: CV32424 ,  
PETNR: SWORTFIGUER, ROBIN ATTY: WOOD, DARLENE D ESQ  
RESP: SWORTFIGUER, CLIFFORD ALAN

Tentative Ruling: The petitioner has not filed a Proof of Service (FL-115) of the Summons and Petition with the court. The court cannot proceed with any orders until Proof of Service is filed. It appears this matter was filed to terminate marital status only. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 2:00 PM on 9/15/08.

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26. 2:00 PM Case: CV33020 [S] HANNEL v HANNEL  
Type: DISSOLUTION WITHOUT MINOR CHIL Date Filed: 09/22/06  
Event: FURTHER CASE MANAGEMENT CONF-FAMILY LAW

Related cases NOT on this calendar: CV32980 , CV33248 ,  
PETNR: HANNEL, LORI ELLEN ATTY: IN PRO PER  
RESP: HANNEL, DENNIS TROY ATTY: IN PRO PER  
Service Date/Type: 00/00/00 Answer Date: 11/14/06

Tentative Ruling: The Substitution of Attorney filed by Respondent's counsel was defective as it failed to list a legal mailing address for Respondent in Pro-Per, wherefore the deficient Substitution of Attorney is stricken and Respondent's counsel Morrow is still Respondent's attorney of record. Petitioner is ordered to serve and file a Preliminary Declaration of Disclosure (FL-141) prior to the next hearing. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 2:00 PM on 9/15/08.

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27. 2:00 PM Case: CV33818 [S] SMITHERS v SMITHERS  
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 06/19/07  
Event: FURTHER CASE MANAGEMENT CONF-FAMILY LAW

Related cases NOT on this calendar: CV34141 ,  
PETNR: SMITHERS, BRIDGET ATTY: IN PRO PER  
RESP: SMITHERS, RICHARD P.

Tentative Ruling: The petitioner has not filed a Proof of Service (FL-115) of the Summons and Petition with the court. The court cannot proceed with any orders until Proof of Service is filed. Petitioner is ordered to serve and file a Preliminary Declaration of Disclosure (FL-141) prior to the next hearing. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 2:00 PM on 12/15/08.

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28. 2:00 PM Case: CV34120 [S] PEANG v SNEED III  
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 10/03/07  
Event: FURTHER CASE MANAGEMENT CONFERENCE;  
RETURN ON MEDIATION

PETNR: PEANG, TEPI ATTY: IN PRO PER  
RESP: SNEED, VERNON III  
Service Date/Type: 10/15/07 PER 00/00/00

Tentative Ruling: Petitioner is ordered to serve and file a Preliminary Declaration of Disclosure (FL-141) prior to the next hearing. There is Proof of Service but no Response (FL-120) or Default (FL-165). Prior to the next CMC, unless a Response is filed, Petitioner must file the Request for Default or dismiss the action. The CMC is set for Dept 1A at 2:00 PM on 9/15/08.

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29. 2:00 PM Case: CV34153 [S] HUDSON v HUDSON  
Type: DISSOLUTION WITHOUT MINOR CHIL Date Filed: 10/17/07  
Event: FURTHER CASE MANAGEMENT CONF-FAMILY LAW

PETNR: HUDSON, JERRY R ATTY: IN PRO PER  
RESP: HUDSON, CHERYL D  
Service Date/Type: 11/23/07 PER 00/00/00

Tentative Ruling: The Default of the respondent has been entered. Petitioner must go to the clerk's filing window to schedule a "Default Prove-Up" hearing. Petitioner must attend that brief hearing and submit the Judgment (FL-180) and Notice of Judgment (FL-190) papers. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 2:00 PM on 10/20/08

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30. 2:00 PM Case: CV34176 [S] ESPINOZA v ESPINOZA  
Type: LEGAL SEPARATION WITHOUT MINOR Date Filed: 10/26/07  
Event: FURTHER CASE MANAGEMENT CONF-FAMILY LAW

PETNR: ESPINOZA, MARIANNE ATTY: IN PRO PER  
RESP: ESPINOZA, FERNANDO  
Service Date/Type: 10/31/07 PER 00/00/00

Tentative Ruling: Petitioner is ordered to serve and file a Preliminary Declaration of Disclosure (FL-141) prior to the next hearing. There is Proof of Service but no Response (FL-120) or Default (FL-165). Prior to the next CMC, unless a Response is filed, Petitioner must file the Request for Default or dismiss the action. The CMC is set for Dept 1A at 2:00 PM on 10/20/08.

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31. 2:00 PM Case: CV34192 [S] GONZALES v GONZALES  
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 11/01/07  
Event: FURTHER CASE MANAGEMENT CONF-FAMILY LAW

PETNR: GONZALES, JODINE P ATTY: IN PRO PER  
RESP: GONZALES, CHRISTOPHER R

Tentative Ruling: The petitioner has not filed a Proof of Service (FL-115) of the Summons and Petition with the court. The court cannot proceed with any orders until Proof of Service is filed. Petitioner is ordered to serve and file a Preliminary Declaration of Disclosure (FL-141) prior to the next hearing. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 2:00 PM on 10/20/08.

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32. 2:00 PM Case: CV34198 [S] HANSON v HANSON  
Type: NULLITY WITHOUT MINOR CHILDREN Date Filed: 11/06/07  
Event: FURTHER CASE MANAGEMENT CONF-FAMILY LAW

PETNR: HANSON, KATHLEEN ATTY: IN PRO PER  
RESP: HANSON, JACK G

Tentative Ruling: The petitioner has not filed a Proof of Service (FL-115) of the Summons and Petition with the court (sub service without follow up mailing as required). The court cannot proceed with any orders until Proof of Service is filed. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 2:00 PM on 9/15/08.

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33. 2:00 PM Case: CV34204 [S] HENRY v HENRY  
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 11/07/07  
Event: FURTHER CASE MANAGEMENT CONF-FAMILY LAW

Related cases NOT on this calendar: CV32792 ,  
PETNR: HENRY, KAYCEE ATTY: IN PRO PER  
RESP: HENRY, MICHA

Tentative Ruling: The petitioner has not filed a Proof of Service (FL-115) of the Summons and Petition with the court (no date of service). The court cannot proceed with any orders until Proof of Service is filed. Petitioner is ordered to serve and file a Preliminary Declaration of Disclosure (FL-141) prior to the next hearing. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 2:00 PM on 9/15/08.

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34. 2:00 PM Case: CV34404 [S] WERTHMAN v WERTHMAN  
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 02/08/08  
Event: CASE MANAGEMENT CONFERENCE-FAMILY LAW

Related cases NOT on this calendar: CV32116 , CF7548 ,  
PETNR: WERTHMAN, LISA E. ATTY: IN PRO PER  
PETNR: WERTHMAN, JAMES L.  
Service Date/Type: 02/23/08 PER 00/00/00

Tentative Ruling: Petitioner is ordered to serve and file a Preliminary Declaration of Disclosure (FL-141) prior to the next hearing. It appears this matter is filed to terminate marital status only (see related CV32116). There is Proof of Service but no Response (FL-120) or Default (FL-165). Prior to the next CMC, unless a Response is filed, Petitioner must file the Request for Default or dismiss the action. The CMC is set for Dept 1A at 2:00 PM on 10/20/08.

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35. 2:00 PM Case: CV34410 [S] TANKERSLEY v TANKERSLEY  
Type: DISSOLUTION WITHOUT MINOR CHIL Date Filed: 02/13/08  
Event: CASE MANAGEMENT CONFERENCE-FAMILY LAW

PETNR: TANKERSLEY, DELORES ANN ATTY: IN PRO PER  
RESP: TANKERSLEY I, EDWARD ATTY: IN PRO PER  
Service Date/Type: 02/20/08 SMS Answer Date: 02/29/08

Tentative Ruling: Respondent is ordered to serve and file a Preliminary Declaration of Disclosure (FL-141) prior to the next hearing. Petitioner is ordered to serve and file a Final Declaration of Disclosure (FL-141) prior to the next hearing. Respondent is ordered to serve and file a Final Declaration of Disclosure (FL-141) prior to the next hearing. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 2:00 PM on 10/20/08.

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36. 2:00 PM Case: CV34420 [S] WHITNEY v DUNN  
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 02/14/08  
Event: CASE MANAGEMENT CONFERENCE-FAMILY LAW

PETNR: WHITNEY, RUTHANNE B ATTY: IN PRO PER  
RESP: DUNN, WILLIAM K

Tentative Ruling: The petitioner has not filed a Proof of Service (FL-115) of the Summons and Petition with the court (no date of service). The court cannot proceed with any orders until Proof of Service is filed. Petitioner is ordered to serve and file a Preliminary Declaration of Disclosure (FL-141) prior to the next hearing. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 2:00 PM on 8/18/08.

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37. 3:00 PM Case: CV33663 [S] ROBERTS BACH v ROBERTS  
Type: OTHER FAMILY LAW PETITION/COMP Date Filed: 05/02/07  
Event: SETTLEMENT CONFERENCE-FAMILY LAW  
06/18/08 9:00 1 COURT TRIAL RE CUSTODY AND VISITATION  
07/22/08 9:00 1 GRANDPARENT'S CONTINUED MOTION FOR  
VISITATION

PETNR: ROBERTS (BACH), MELINDA NOELLE ATTY: BORTON & PETRINI LLP  
MINOR: ROBERTS MINORS P.D.: RUSSO, ARLEEN ESQ  
RESP: ROBERTS, CHRISTOPHER JAY ATTY: KEELEY, CHARLOTTE L ESQ  
Service Date/Type: 05/06/07 PER 00/00/00  
GRANDP: ROBERTS, BETTY J ATTY: HEMMER, CAMILLE H. ESQ.  
GRANDP: ROBERTS, BOB ATTY: HEMMER, CAMILLE H. ESQ.

Tentative Ruling: No timely settlement conference statement was filed by the moving party (See Fam. Code § 271). There is no Tentative Ruling on this case. The parties and their legal counsel are ordered to appear.

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38. 3:00 PM Case: CV33869 [S] SNOW v SNOW  
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 07/09/07  
Event: SETTLEMENT CONFERENCE-FAMILY LAW

PETNR: SNOW, RUSSELL ATTY: CHAVEZ-OCHOA LAW OFFICES INC.  
RESP: SNOW, AMANDA ATTY: IN PRO PER  
Service Date/Type: 00/00/00 Answer Date: 11/19/07

Tentative Ruling: There is no Tentative Ruling on this case. The parties, or their legal counsel if represented, are ordered to appear.

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